

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-13
AGENDA DATE: Thu 06/23/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0070 - T. Warren Investments - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3320-3404 South FM 973 Road (Colorado River Watershed) from interim rural residence (I-RR) district zoning to public-conditional overlay (P-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant public-conditional overlay (P-CO) combining district zoning with conditions. Applicant: T. Warren Investments, Inc. (Thomas G. Warren). Agent: Chartwell Interests, Inc. (Timothy Merriweather). City Staff: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Alice Glasco

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0070

Z.P.C. DATE: June 7, 2005

ADDRESS: 3320 – 3404 South FM 973 Road

OWNER: T. Warren Investments, Inc.-
(Thomas G. Warren)

AGENT: Chartwell Interests, Inc.
(Timothy Merriweather)

ZONING FROM: I-RR

TO: P-CO

AREA: 6.750 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant public – conditional overlay (P-CO) combining district zoning. The Conditional Overlay limits the development of the property to 2,000 trips per day.

The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for FM 973. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from both sides of the future centerline of FM 973 in accordance with the Transportation Plan where the road is completely within the boundaries of this site.

ZONING & PLATTING COMMISSION RECOMMENDATION:

June 7, 2005: *APPROVED STAFF RECOMMENDATION OF P-CO DISTRICT ZONING, SUBJECT TO STAFF DETERMINATION OF THE RIGHT-OF-WAY DEDICATION AND RESERVATION REQUIREMENTS ON FM 973, AND THESE REQUIREMENTS TO BE MET PRIOR TO FINAL READING AT CITY COUNCIL.*

[J. MARTINEZ, J. GOHIL – 2ND] (9-0)

ISSUES:

The Applicant is in agreement with the recommendation of the Zoning and Platting Commission.

DEPARTMENT COMMENTS:

The subject two lots consist of a residential treatment facility, a transitional housing facility and undeveloped land. Both lots are zoned interim – rural residence (I-RR) district and access is taken to FM 973. The property borders on a used manufactured home sales use, undeveloped land and service station with convenience store to the north (I-RR, GR, GR-CO); a church and Del Valle ISD offices and facilities to the east; a vehicle storage use and Travis County community center and correctional facility to the south; and undeveloped property and a car wash to the west (I-RR and County). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The existing facilities accommodate 210 residents and the Applicant seeks to expand the facilities on the west side of the property to accommodate an additional 126 residents, for a build-out resident capacity of 336. The Applicant proposes to zone the lots to the public (P) district consistent with the existing and planned civic uses of the property. Because the proposed expansion area is greater than one acre, both the residential treatment and transitional housing uses would be conditional and a conditional use permit requires review by the Commission.

Public zoning for the civic uses described is compatible with the surrounding commercial uses as well as the civic uses that have been established adjacent and to the south. The Conditional Overlay establishes a maximum number of daily vehicle trips that will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Residential treatment; Transitional housing; Undeveloped
<i>North</i>	Unzoned	Sales of used manufactured homes; Convenience store with gas sales; Car wash
<i>South</i>	I-RR; County	Vehicle maintenance and storage; Community recreation center; Community center; Sports complex; Correctional facility
<i>East</i>	SF-2; DR; Out of City	Church; Del Valle ISD and community center; Undeveloped
<i>West</i>	I-RR; CS-CO	Undeveloped; Car wash; Convenience store with gas sales

AREA STUDY: N / A

TIA: Is not required

WATERSHED: Colorado River

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Association

SCHOOLS:

This site is served by the Del Valle Independent School District.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-99-0085	I-RR to CS	To Grant CS-CO w/conditions	Approved CS-CO w/conditions (1/27/00).
C14-99-2052	DR; UNZ; I-SF-2; I-RR to LI-PDA	To Grant LI-PDA	Approved LI-PDA (9-28-00).
C14-01-0027	I-SF-2 to GR	To Grant GR-CO	Approved GR-CO w/conditions (4-19-01).
C14-01-0075	I-SF-2 to GR	To Grant GR-CO w/conditions	Approved GR-CO w/conditions (7-19-01).
C14-01-0103	I-RR to LI	Withdrawn by applicant	Not applicable
C14-03-0047A	I-RR to GR	To Grant GR-CO	Approved GR (6-5-03).
C14-03-0047B	I-RR to GR	To Grant GR-CO	Approved GR-CO with CO for 2,000 trips (6-5-03).

RELATED CASES:

This property was annexed into the Full-Purpose Jurisdiction on September 6, 2001.

As shown in Exhibit B, the rezoning area is platted as Lots 3A and 3B of the Resubdivision of Lot 3, Joseph Addition, recorded on March 9, 2000 (C8-99-0140.0A). An approved "D" Site Plan known as "Travis County Detox and Treatment Facility" for three dormitories and six detox units, a mentor unit, a multi-purpose room and a kitchen was released on March 26, 1997 (SP-97-0019D). Please refer to Exhibit C.

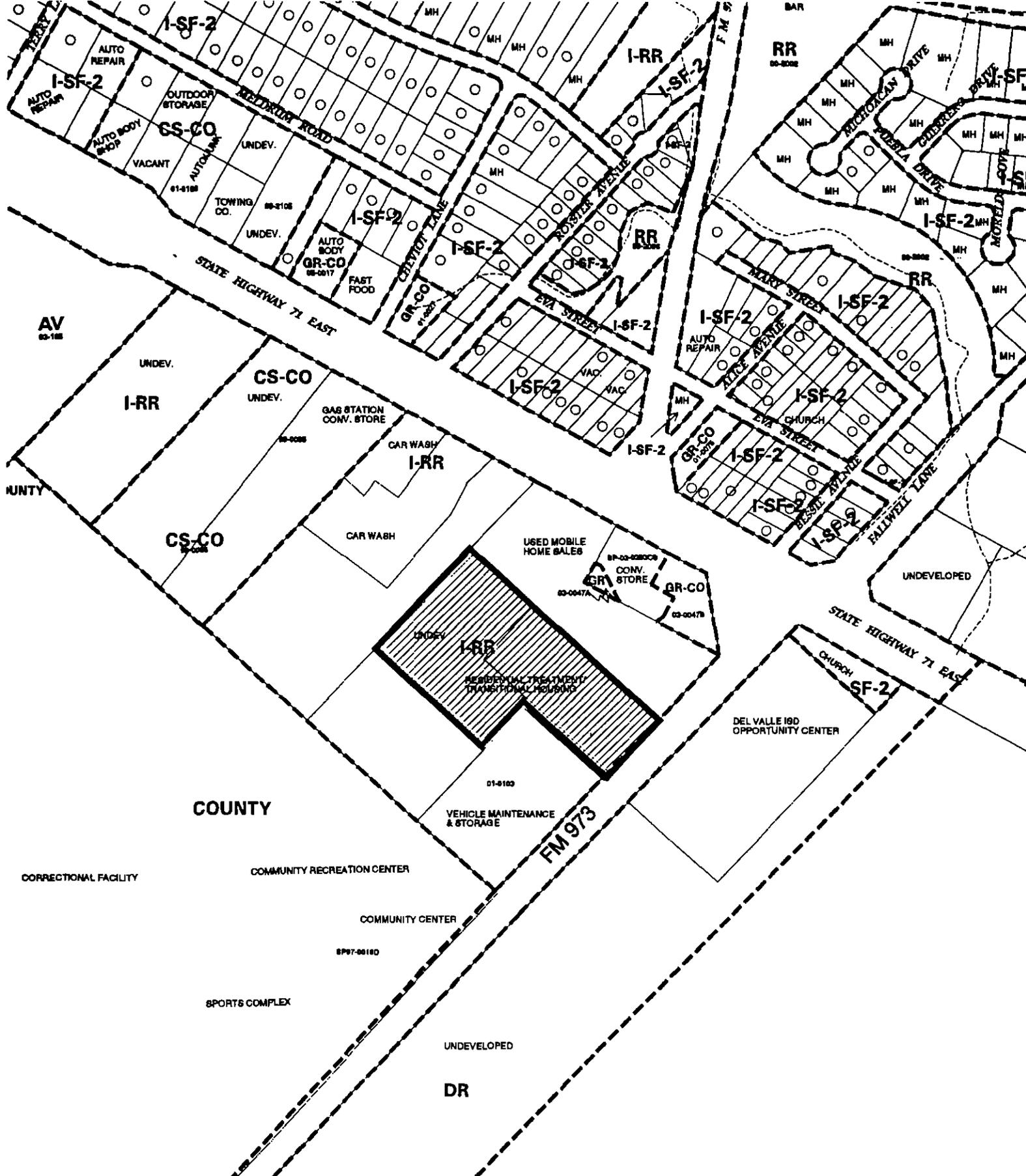
For information: All residents are referred clients from the justice system (compared with a treatment center that allows for voluntary check in). The residential treatment portion is for clients who have committed alcohol and / or drug offenses and this is the final part of their treatment before they re-enter the community at large. The transitional housing portion are clients from the Texas Department of Criminal Justice who have been paroled, but do not have a place to stay. The Avalon Treatment Center provides assistance in locating jobs and apartments.

ABUTTING STREETS:

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
FM 973	100 feet	30 feet	Arterial	12,000 (1999)

- Capital Metro bus service is available along FM 973.

CITY COUNCIL DATE: June 23, 2005**ACTION:****ORDINANCE READINGS:** 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us**PHONE:** 974-7719





SUBJECT TRACT 

PENDING CASE 

ZONING BOUNDARY 

CASE MGR: W.WALSH

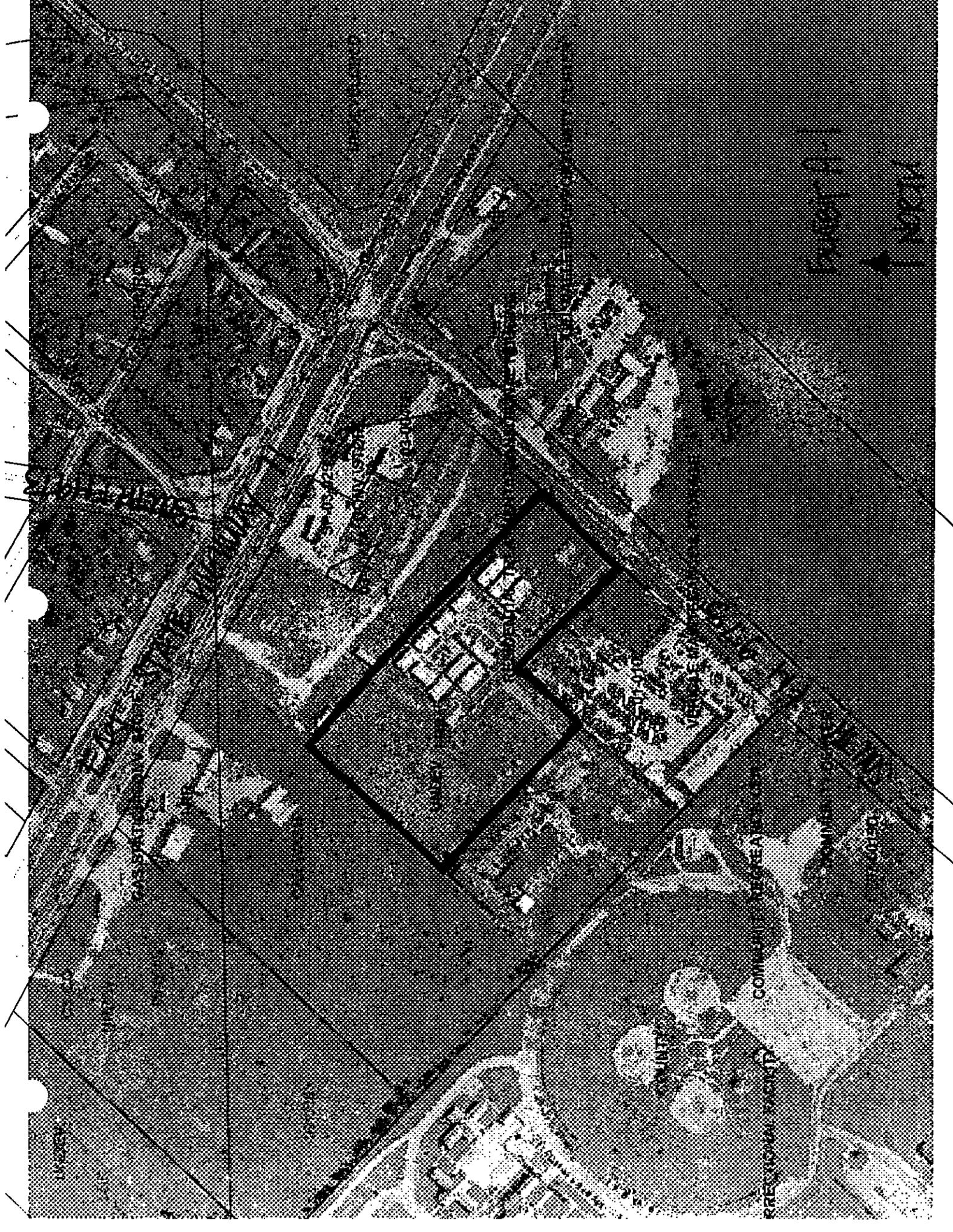
CASE #: C14-05-0070
ADDRESS: 3320-3404 S FM 973 ROAD
SUBJECT AREA (acres): 6.750

ZONING Exhibit A

DATE: 05-05
INTLS: TRC

CITY GRID REFERENCE NUMBER
P18

1" = 400'



PLANT

COMMUNICATIONS

POWER

RESISTANCE

WATER

20000073

RESUBDIVISION OF LOT 3, JOSEPH ADDITION

Prepared November 11, 1999

STATE HIGHWAY No. 71 (200')

CONVENIENCE CORNER
VOLUME 78 PAGE 296

SCALE: 1" = 100'

LOT 2

JOSEPH ADDITION
VOLUME 79 PAGE 329-330

F.M. No. 975 (100' ROW)

LEGEND

- 1/4" Iron Pin Found
- 1/4" Iron Pin Set
- ◇ Concrete Monument Set
- () Record Bearing & Distance
- Proposed Submet
- Total Area: 0.465 Ac. or 465.000 sq. ft.

Line Table

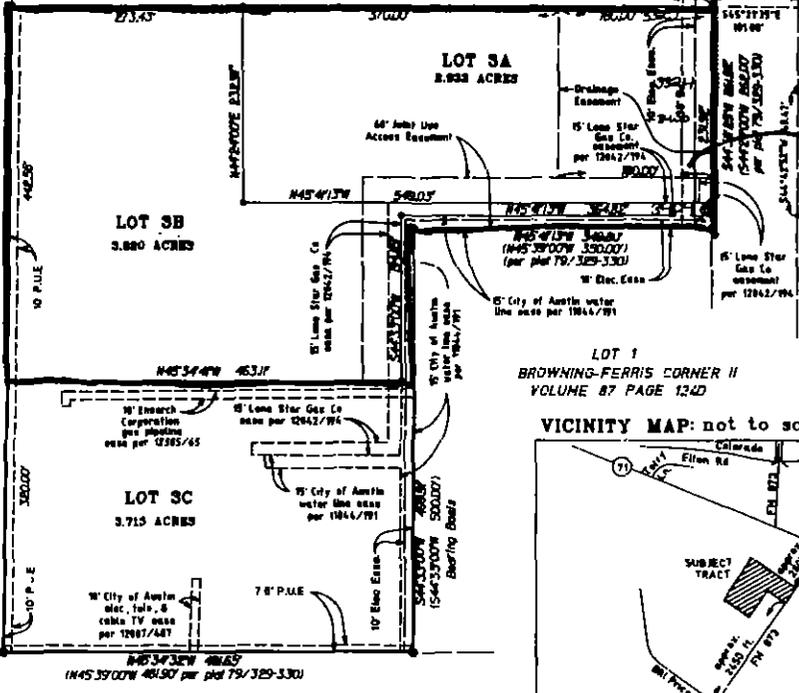
Line	Bearing	Distance
1	S44°24'25"W	16.00'
2	S44°24'25"W	16.00'

BENCHMARK U.S.G.S Monument No W-1271 located at the Southeast corner of the intersection of FM 973 and State Highway No 71 Elevation: 452.84 ft.

BENCHMARK Railroad Spike in power pole at southwest corner of Lot 3C Elevation: 473.2 ft

LOT 3

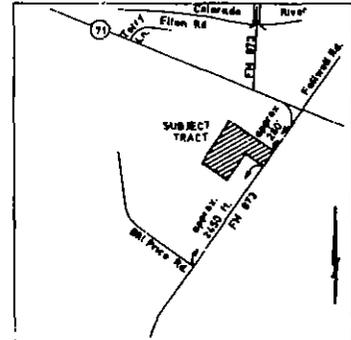
MORGAN SUBDIVISION
VOLUME 84 PAGE 191B



REZONING AREA

LOT 1
BROWNING-FERRIS CORNER II
VOLUME 87 PAGE 124D

VICINITY MAP: not to scale



Travis County
1729.35 Acres
5.7142/1064

ACCEPTED AND AUTHORIZED FOR RECORD by the Director, Development Review and Inspection Department, City of Austin, County of Travis, this the 3rd day of February, 2000 A.D.

[Signature]
Director
Development Review and Inspection Department

ACCEPTED AND AUTHORIZED FOR RECORD by the Planning Commission of the City of Austin on the 1st day of February, 2000 A.D.

[Signature] Chairman
[Signature] Secretary

THE STATE OF TEXAS =
THE COUNTY OF TRAVIS =

I, J. Leroy Bush, an authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that this plat complies with Title 25 of the City of Austin Land Development Code and correct and was prepared from an actual survey of the property made by me or under my supervision on the ground

[Signature]
J. Leroy Bush
Reg. Professional Surveyor No 1828
BUSH SURVEYING, INC.
1904 Fortview Road
Austin, Texas 78704



8-31-99
Date

THE STATE OF TEXAS =
THE COUNTY OF TRAVIS =

I, Dana DeBeauvoir, Clerk of Travis County, Texas, do hereby certify that the foregoing instrument of writing and its Certificate of Authentication was filed for record in my office on the 3rd day of March, 2000 A.D. at 11:20 o'clock A.M. and duly recorded on the 3rd day of March, 2000 A.D. at 11:20 o'clock A.M. in Document No. 20000073 of the Official Records of Travis County, Texas. WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK OF SAID COUNTY this the 3rd day of March, 2000 A.D.

DANA DEBEAUVOR, COUNTY CLERK
TRAVIS COUNTY, TEXAS
BY *[Signature]* Deputy

FILED FOR RECORD at 11:20 o'clock A.M. this the 3rd day of March, 2000 A.D.

DANA DEBEAUVOR, CLERK OF TRAVIS COUNTY, TEXAS
[Signature] Deputy

FLOODPLAIN NOTE:

The 100-year flood plain is contained within the drainage easement as shown herein. No portion of this tract is within the designated flood hazard area as shown on the Federal Flood Insurance Administration Rate Map # 481624 0130 E. Travis County, Texas, dated June 16, 1993.

As checked by: *[Signature]*
Troy Ulmann, P.E.
649927



12-17-99
Date

EXHIBIT B
RECORDED
PLAT

I do hereby certify that the engineering work being submitted herein complies with all provisions of the Texas Engineering Practice Act, including Section 131182 (a) I hereby acknowledge that any misrepresentation regarding this certification constitutes a violation of the Act, and may result in criminal, civil and/or administrative penalties against me as provided by the Act

[Signature]
signature of responsible engineer Texas P.E. no. 11-11-99
Date



BUSH SURVEYING, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
(512) 448-0980

10657

9811409

200000073

THE STATE OF TEXAS
THE COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

That Southwest Community Development Corporation, acting herein by and through Thomas G. Warren, President, owner of 3.525 acres of Lot 3, Joseph Addition, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 79, Pages 329-330 of the Plat Records of Travis County, Texas, as conveyed to it by deed recorded in Volume 13026, Page 1143-1145 of the Real Property Records of Travis County, Texas, and that T. Warren Investments, Inc. acting herein by and through Thomas G. Warren, President, owner of 6.940 Acres of Lot 3, of said Joseph Addition as conveyed to it by deed recorded in Volume 11848 Page 2143 of the Real Property Records of Travis County, Texas.

said Lot 3 comprising 10.465 Acres or 455,860 Square Feet of land, said subdivision having been approved for resubdivision pursuant to the public notification and hearing provision of Chapter 212.015 of the Local Government Code, do hereby resubdivide said Lot 3 in accordance with the attached plat to be known as RESUBDIVISION OF LOT 3, JOSEPH ADDITION, and do hereby dedicate to the Public use of the streets and easements as shown hereon subject to any easements and/or restrictions heretofore granted and not released

RESUBDIVISION OF LOT 3,
JOSEPH ADDITION

Prepared November 11, 1999

THE STATE OF TEXAS
THE COUNTY OF TRAVIS

I, Tray R. Ulmann, P.E., am authorized to practice the profession of civil engineering in the State of Texas, and hereby certify that the engineering portions of this plat comply with Title 25 of the City of Austin Land Development Code

Tray R. Ulmann, P.E. No. 45927
Ulmann Engineering, Inc.
3715 Capital of Texas Hwy., South Suite 207
Austin, TX 78746



WITNESS MY HAND this the 26th day of March, 1999, A.D.

Thomas G. Warren, President
Southwest Community Development Corporation
P.O. Box 9269
The Woodlands, Texas 77387-9267

WITNESS MY HAND this the 26th day of March, 1999, A.D.

Thomas G. Warren, President
T. Warren Investments
P.O. Box 9269
The Woodlands, Texas 77387-9267

THE STATE OF TEXAS
THE COUNTY OF TRAVIS

I, the undersigned authority, on this 26th day of March, 1999, A.D. did personally appear Thomas G. Warren, known to me to be the person whose name is subscribed to the foregoing instrument of writing, and he acknowledged before me that he executed the same for the purposes and considerations therein expressed

NOTARY PUBLIC
Printed Name: DANA DEBEAUVOR
Commission Expires: 02-15-2002

THE STATE OF TEXAS
THE COUNTY OF TRAVIS

I, Dana Debeauvoir, Clerk of the County Court of Travis County, Texas, do hereby certify that on the 15th day of February, A.D. 2000, the Commissioners' Court of Travis County, Texas, passed an order authorizing the filing for record of this plat and that said order was duly entered in the minutes of said Court, in Book 25, page 7 of the Official Records of Travis County, Texas.

WITNESS MY HAND AND SEAL OF OFFICE of the County Court of said County, this the 9th day of March, A.D. 2000

DANA DEBEAUVOR, CLERK, COUNTY COURT
TRAVIS COUNTY

By: Dana Debeauvoir, Deputy

In approving this plat, the Commissioners Court of Travis County, Texas, assumes no obligation to build the streets, roads, and other public thoroughfares shown on this plat or any bridges or culverts in connection therewith. The building of all streets, roads, and other public thoroughfares shown on this plat and all bridges and culverts necessary to be constructed or placed in such streets, roads, or public thoroughfares or in connection therewith, is the responsibility of the owner and/or developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas.

The Owner(s) of the subdivision shall construct the subdivision's street and drainage improvements (the improvements) to County standards in order for the County to accept the public improvements for maintenance or to release fiscal security posted to secure private improvements. To secure this obligation, the Owner(s) must post fiscal security with the County in the amount of the estimated cost of the improvements. The Owner(s) obligation to construct the improvements to County standards and to post the fiscal security to secure such construction is a continuing obligation binding on the Owner(s) and their successors and assigns until the private improvements have been accepted for maintenance by the County, or the private improvements have been constructed and are performing to County standards.

The authorization of this plat by the Commissioners Court for filing or the subsequent acceptance for maintenance by Travis County, Texas, of roads and streets in the subdivision does not obligate the County to install street name signs or erect traffic control signs, such as speed limit, stop signs, and yield signs, which is considered to be a part of the developer's construction.

This subdivision is located within the 2 mile E.T.J. of the City of Austin on this 3rd day of February, 2000

23. Owners of Lots 1A, 1B, and 1C are responsible for maintaining the community water quality and detention pond located on Lot 1A as depicted in document # 200003444

BUSH SURVEYING, INC.
1904 PORTVIEW ROAD
AUSTIN, TX 78704
(512) 462-0890

NOTES.

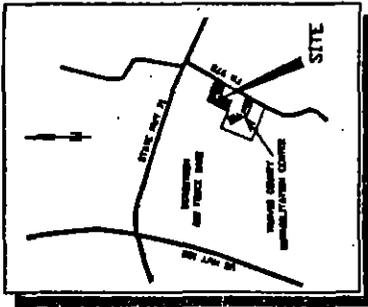
- 1. No lot in this subdivision shall be occupied until connected to the City of Austin water and wastewater systems.
- 2. All water and wastewater improvements must be in accordance to City of Austin water and wastewater design criteria and specifications. All plans must be presented to the City of Austin Water and Wastewater Utility Department for review and approval. All construction must be inspected by the City of Austin.
- 3. Water and wastewater systems serving this subdivision shall be installed in accordance with the City of Austin and State of Texas Health Department plans and specifications. Plans and specifications shall be submitted to the City of Austin Water and Wastewater Utility Department for review.
- 4. All restrictions from the previous existing subdivision, Joseph Addition, apply to this plat.
- 5. DETENTION Prior to construction on these lots, drainage plans will be submitted to the City of Austin Engineering Department for approval. Rainfall run-off shall be held to the amount existing at undeveloped status by use of ponding or other approved methods.
- 6. All drainage easements on private property shall be maintained by the property owner or his assigns.
- 7. Property owner shall provide for access to drainage easements as may be necessary and shall not prohibit access by governmental authorities.
- 8. The owner of this subdivision, and his or her successors and assigns, assumes responsibility for plans for construction of subdivision improvements which comply with applicable codes and requirements of the City of Austin. The owner understands and acknowledges that plat vacation or replating may be required, at the owner's sole expense, if plans to construct this subdivision do not comply with such codes and requirements.
- 9. Prior to construction, except detached single family on any lot in this subdivision, a Site Development Permit must be obtained from the City of Austin.
- 10. All streets, drainage, sidewalks, erosion controls, and water and wastewater lines are required to be constructed and installed to City of Austin Standards.
- 11. Austin Energy has the right to prune and/or remove trees, shrubbery and other obstructions to the extent necessary to keep the easement's clear. Austin Energy will perform all tree work in compliance with Chapter 25-B, Subchapter B of the City of Austin Land Development Code.
- 12. The owner/developer of this subdivision/lot shall provide Austin Energy with any easement and/or access required, in addition to those indicated, for the installation and ongoing maintenance of overhead and underground electric facilities. These easements and/or access are required to provide electric service to the buildings and will not be located as to cause the site to be out of compliance with Chapter 25-B of the City of Austin Land Development Code.
- 13. Any Electric Utility activity inside the subdivision shall be included under the general development permit by the owner of the Subdivision. The permit noted above may be either a site development permit, a subdivision improvements construction permit or the EUD (general development permit).
- 14. The owner shall be responsible for installation of temporary erosion control, revegetation and tree protection. In addition, the owner shall be responsible for any tree pruning and tree removal that is within ten feet of the centerline of the overhead electrical facilities designed to provide electric service to this subdivision. Austin Energy work shall also be included within the limits of construction for this project.
- 15. Watershed Status This resubdivision is located within the Colorado River Watershed is classified as Suburban, and shall be developed, constructed, and maintained in conformance with the terms and conditions of Chapter 13-7, Article I of the City Land Development Code.
- 16. This resubdivision plat was approved and recorded before the construction and acceptance of streets and other subdivision improvements. Pursuant to the terms of a Subdivision Improvements Agreement between the subdivider and the City of Austin, dated March 7, 2000, the subdivider is responsible for the construction of all improvements needed to serve the lots within the subdivision. This responsibility may be assigned in accordance with the terms of that agreement. For the Subdivision Improvements Agreement pertaining to this resubdivision, see separate instrument recorded in Document no. 200003444 of the Official Records of Travis County, Texas.
- 17. There are no slopes exceeding 15% in this subdivision.
- 18. Driveway access to FM 973 is prohibited for all lots except for one point of access within the 60 ft Joint Use access easement (60 ft Joint Use Access Agreement recorded in Document no. 200003444 of the Official Property Records of Travis County, Texas).
- 19. Travis County development permit required prior to any site development.
- 20. Public sidewalks, built to City of Austin standards, are required along FM 973 and as shown by a dotted line on the face of the plat. Failure to construct the required sidewalks may result in the withholding of Certificates of Occupancy, building permits or utility connections by the governing body or utility company.
- 21. Development of these lots is hereby restricted to uses other than single family residential uses.
- 22. No objects, including but not limited to, buildings, fences, or landscaping shall be allowed in drainage easements except as approved by the City of Austin and Travis County.

TRAVIS COUNTY DETOX AND TREATMENT FACILITY

3420 FM 973

50-37-3472
ENVIRONMENTAL HEALTH
STATE ST. PM. 973 RD

LOCATION MAP
SITE



OWNER: T. BARRON INVESTMENTS, INC.
P.O. BOX 8209
THE WOODLANDS, TX 77387
TEL: (713)282-0841
FAX: (713)282-0843

WATERBOD: COLORADO RIVER

LEGAL: LOT 3, JOSEPH ADDITION
PLAT BOOK 79, PG. 328-330
TRAVIS COUNTY PLAT RECORDS
FILING DATE: 7-21-80

SUBDIVISION FILE NO.: CH-80-301

THE ABOVE PLANNING AND PROJECT IS LOCATED IN THE UNINCORPORATED AREA OF THE CITY OF AUSTIN, TEXAS. THE CITY OF AUSTIN HAS JURISDICTION OVER THE PROJECT AND IS REQUIRED TO REVIEW THE PROJECT UNDER THE CITY OF AUSTIN LAND DEVELOPMENT CODE.

THE PLAN IS COMPLETE, ACCORDING AND IN COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE. THE PROJECT IS SUBJECT TO THE CITY OF AUSTIN'S REVIEW AND APPROVAL. THE PROJECT IS SUBJECT TO THE CITY OF AUSTIN'S REVIEW AND APPROVAL. THE PROJECT IS SUBJECT TO THE CITY OF AUSTIN'S REVIEW AND APPROVAL.

ALL RESPONSIBILITY FOR THE ACCURACY OF THESE PLANS REMAINS WITH THE SUBMITTER. THE CITY OF AUSTIN DOES NOT GUARANTEE THE ACCURACY OF THESE PLANS.

APPROVED BY: <i>[Signature]</i> DATE: 8-28-80	FOR THE CITY OF AUSTIN: <i>[Signature]</i> DATE: 8-28-80
APPROVED BY: <i>[Signature]</i> DATE: 8-28-80	FOR THE STATE OF TEXAS: <i>[Signature]</i> DATE: 8-28-80

THE CITY OF AUSTIN HAS REVIEWED THE PROJECT AND HAS DETERMINED THAT THE PROJECT IS IN COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE. THE PROJECT IS SUBJECT TO THE CITY OF AUSTIN'S REVIEW AND APPROVAL.

NO.	DESCRIPTION
1	GENERAL NOTES
2	GENERAL NOTES
3	GENERAL NOTES
4	GENERAL NOTES
5	GENERAL NOTES
6	GENERAL NOTES
7	GENERAL NOTES
8	GENERAL NOTES
9	GENERAL NOTES
10	GENERAL NOTES

NO.	DESCRIPTION	DATE	BY

EXHIBIT C
APPROVED
"D" SITE PLAN

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant public – conditional overlay (P-CO) combining district zoning. The Conditional Overlay limits the development of the property to 2,000 trips per day.

- The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for FM 973. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from both sides of the future centerline of FM 973 in accordance with the Transportation Plan where the road is completely within the boundaries of this site.

BACKGROUND

The subject two lots consist of a residential treatment facility, a transitional housing facility and undeveloped land. Both lots are zoned interim – rural residence (I-RR) district and access is taken to FM 973. The property borders on a used manufactured home sales use, undeveloped land and service station with convenience store to the north (I-RR, GR, GR-CO); a church and Del Valle ISD offices and facilities to the east; a vehicle storage use and Travis County community center and correctional facility to the south; and undeveloped property and a car wash to the west (I-RR and County).

The existing facilities accommodate 210 residents and the Applicant seeks to expand the facilities on the west side of the property to accommodate an additional 126 residents, for a build-out resident capacity of 336. The Applicant proposes to zone the lots to the public (P) district consistent with the existing and planned civic uses of the property. Because the proposed expansion area is greater than one acre, both the residential treatment and transitional housing uses would be conditional and a conditional use permit requires review by the Commission.

Public zoning for the civic uses described is compatible with the surrounding commercial uses as well as the civic uses that have been established adjacent and to the south. The Conditional Overlay establishes a maximum number of daily vehicle trips that will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

P, Public District, zoning is intended to accommodate uses of a governmental, civic, public service, or public institutional nature, including major public facilities. This district is intended for properties, used, reserved, or intended to be used for a civic or public institutional purpose or for major public facilities. The proposed zoning of the property to accommodate the existing and proposed uses of residential treatment and

transitional housing facilities is consistent with the purpose statement of the district sought.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

Public zoning for the civic uses described is compatible with the surrounding commercial uses as well as the civic uses that have been established adjacent and to the south. The Conditional Overlay establishes a maximum number of daily vehicle trips that will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

EXISTING CONDITIONS

Site Characteristics

The subject property consists of a transitional housing facility, a residential treatment facility and undeveloped land on the west side. The site is relatively flat and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the P zoning district is established by a conditional use site plan.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Colorado River Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for FM 973. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from both sides of the future centerline of FM 973 in accordance with the Transportation Plan where the road is completely within the boundaries of this site. (LDC, Sec. 25-6-51 and 25-6-55)

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. (LDC, 25-6-117)

Water and Wastewater

The landowner intends to serve the site with water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility relocation, and utility adjustment to serve the site and land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated City fees.

Compatibility Standards

The rezoning application does not trigger the application of compatibility standards. The property is located within the Controlled Compatible Use Area. This is the area within 1 ½ miles from the airport runway. As discussed with Airport staff, land uses cannot create electrical interference with navigational signals or radio communications between airport and aircraft; make it difficult for pilots to distinguish between the airport lights and others; result in glare in the eyes of pilots using the airport; impair visibility in the vicinity of the airport; create bird strike hazards; or, otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.